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GOOGLE LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ANIBAL RODRIGUEZ, *et al.* individually and on
behalf of all others similarly situated,

Plaintiff,

vs.

GOOGLE LLC, *et al.*,

Defendant.

Case No. 3:20-CV-04688 RS

**[PROPOSED] ORDER GRANTING
GOOGLE LLC'S MOTION TO STRIKE
PLAINTIFFS' UNTIMELY DAMAGES
OPINION**

Date: February 13, 2025
Time: 1:30 p.m.
Ct: 3 - 17th Floor
Judge: Hon. Richard Seeborg

Action filed: July 14, 2020
Trial Date: August 18, 2025

[PROPOSED] ORDER

Before the Court is Google LLC's ("Google") Motion to Strike Plaintiffs' Untimely Damages Opinion and documents filed in connection with that motion.

Having considered the Notice of Motion and Motion to Strike Plaintiffs' Untimely Damages Opinion, the incorporated Memorandum of Points and Authorities, the Declaration of Eduardo E. Santacana filed concurrently therewith, and the exhibit attached thereto, along with other materials in the record, argument of counsel, and such other matters as the Court may consider, the Court finds that:

Plaintiffs' disclosure of a new damages opinion was not substantially justified or harmless. The Court strikes Plaintiffs' new damages opinion disclosed in their third "amended" Rule 26 disclosures ("New Opinion"), bars this New Opinion from being incorporated into Michael Lasinski's forthcoming supplemental report, and excludes Plaintiffs' untimely disclosed New Opinion from trial. Plaintiffs' Motion is hereby Granted.

IT IS SO ORDERED.

DATED: _____

Honorable Richard Seeborg
United States District Judge